

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

MOVE TEXAS CIVIC FUND;
JOLT INITIATIVE;
LEAGUE OF WOMEN VOTERS
OF TEXAS; and NIVIEN SALEH,

Plaintiffs,

v.

Case No. 3:19-cv-00041

DAVID WHITLEY, Texas Secretary of
State, in his official capacity; KEITH
INGRAM, Texas Director of Elections,
in his official capacity; CHERYL
JOHNSON, Voter Registrar for Galveston
County, in her official capacity; PAMELA
OHLENDORF, Elections Administrator for
Caldwell County, in her official capacity;
KIRSTEN SPIES, Tax Assessor and
Voter Registrar for Blanco County, in her
official capacity; TERRI HEFNER,
Elections Administrator for Fayette County,
in her official capacity; BETH
ROTHERMEL, County Clerk and Voter
Registrar for Washington County, in her
official capacity; JANET TORRES,
District and County Clerk for Hansford
County, in her official capacity; Elections
Administrator for Harrison County, in his/her
official capacity; and KAREN NELSON,
Elections Administrator for Smith County,
in her official capacity.

Defendants.

DECLARATION OF NIVIEN SALEH

My name is Nivien Saleh. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge.

1. I am a registered voter in Harris County, Texas.
2. I was born in Germany as a citizen of Egypt and acquired German citizenship at age five.
3. In or around 1996, I immigrated to the United States on a student visa in order to earn my Ph.D. in Political Science.
4. I remained in the country legally, working, abiding by the law, and contributing to society.
5. In or around 2006, my student visa was approved for change into an H1B visa.
6. In or around 2007, I first obtained a Texas Driver License. My most recent Driver License was issued on July 27, 2015.
7. When I applied for my Driver License, to the best of my recollection, I supplied my H1B visa in order to prove that I was legally present in the United States.
8. On January 17, 2018, I was scheduled to be naturalized as a U.S. citizen at a naturalization ceremony. Because of an unusually heavy freeze, the ceremony was rescheduled for the following month. If I waited until then to naturalize, it meant that I would miss the March Primary Elections. Voting in those

elections was very important to me. That is why I went to extra lengths and arranged for a private swearing-in ceremony.

9. On January 25, 2018, after over twenty years of being a guest in this country, I became a United States citizen.
10. U.S. District Judge Alfred H. Bennett swore me in at his courtroom in Harris County. The ceremony filled me with pride and gratitude, because to me the Declaration of Independence is the greatest political document I can imagine, and as a citizen I was now associated with it.
11. Immediately after being sworn in as a citizen, I walked over to the Harris County Tax-Assessor Collector's office to register to vote. It was critical to me that my registration was processed in time to vote in the Primary Elections.
12. Voting for the first time in the March 2018 Primaries was the culmination of many years of hard work and is an experience that I will always remember.
13. I treasure the right to vote as one of the most valuable fundamental rights of citizenship, and I place great importance on staying civically involved. To the best of my knowledge, I have voted in every election that I have been eligible to vote in (the March 2018 Primary and November 2018 General Elections). I also intend to vote in the May 4 Municipal Elections.
14. I am immensely proud of the contributions I have made to this country as a citizen. I have made countless videos for the Native Plant Society of Texas on

a volunteer basis, and I have put in many hours volunteering as a Certified Texas Master Naturalist through Texas Parks and Wildlife Department's Texas Master Naturalist program.

15. When I became aware of the Secretary of State's Advisory on possible non-citizens, I was immediately alarmed because I believed I might be one of the people who was on the Secretary of State's list.

16. On the morning of Saturday, February 2, 2019, my husband contacted the Harris County Voter Registrar's office to try to determine if I was included on the list that the Secretary of State had compiled. On February 4, 2019, the Voter Registrar confirmed that I was on the list, and, to the best of my recollection, stated that I was not one of the voters who had been marked with the code "64."

17. When I learned that the Secretary of State had targeted me like this, I was apprehensive, insulted, and angry.

18. I treasure my citizenship and the right to vote, and the idea that my registration might be taken away for no reason is mind-boggling.

19. I am in a state of limbo: Because I have not been issued a proof of citizenship letter, I have not had the chance to prove to the county registrar's office that I am a citizen; at the same time, from what I understand, the Secretary has not

cancelled the list and I remain at risk of being mailed a proof of citizenship letter.

20. My husband and I will leave the country for approximately a month, beginning on February 23 of this year. I am worried that the letter could arrive while we are not home, and I won't be able to respond by the deadline, which will result in my registration being cancelled.

21. There are elections for Mayor and City Council in the City of Houston this May. I am very worried that my right to vote in these elections could be taken away if my registration is cancelled and I am unable to re-register in time.

22. I am also worried that even if I register again, my right to vote could be taken away at any time.

23. I also feel deeply insulted that I, and thousands of others like me, are being accused of voter fraud.

24. My name and reputation are being smeared without any evidence.

25. When I registered to vote, I had to swear that I was a United States citizen. By recklessly including me on his list of alleged non-citizens, the Secretary of State has accused me of lying and having broken the law. I have worked hard to be a productive, law-abiding citizen. This accusation disturbs me deeply.

26. Born and raised in Germany, I am very aware of the horrible consequences of false accusations by government officials, especially when they add up to a

systematic discourse that stigmatizes powerless population groups as dangerous, deceitful, despicable outsiders. That is what I see happening here.

27. Further, because of my Islamic name and Middle Eastern/African family heritage, I know the pain of national origin and religious discrimination and want to do what I can to prevent it.

28. Every day that the Secretary of State does not take back his list, I continue to be insulted and treated as a second-rate citizen without the same rights as everybody else.

29. This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Nivien Saleh", written over a horizontal line.

Nivien Saleh